



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: December 7, 2005

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Prospective lease of 230 West Elm Street (Dept. L-1) and 215 West Elm Street (L-3), Lodi, California; the negotiating parties are the City of Lodi and County of San Joaquin relating to court office space; price and terms are under negotiation; Government Code §54956.8
- b) Conference with Blair King, City Manager (Acting Labor Negotiator), regarding Fire Mid-Management pursuant to Government Code §54957.6
- c) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(B) regarding exposure to San Joaquin County for alleged non-compliance with underground storage tank regulations at Municipal Service Center and the old Public Safety Building
- d) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- e) Actual litigation: Government Code §54956.9(a); one case; Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Chris Chavez, Heartland Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards

- a) Announcement of Mayor's Community Service Award recipients

D-2 Proclamations – None

D-3 Presentations

- a) Presentation by Dennis Lewis regarding Lodi Adopt-A-Child Christmas Program

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$5,808,273.42 (FIN)
- E-2 Approve minutes (CLK)
- a) November 1, 2005 (Shirtsleeve Session)
 - b) November 1, 2005 (Special Meeting)
 - c) November 2, 2005 (Regular Meeting)
 - d) November 19, 2005 (Special Meeting)
 - e) November 22, 2005 (Shirtsleeve Session)
 - f) November 22, 2005 (Special Meeting)
 - g) November 30, 2005 (Special Joint Meeting w/Faith Community)
- Res. E-3 Adopt resolution approving specifications for a Compressed Natural Gas (CNG) Packaged Electric Motor Drive Compressor System for the Municipal Service Center CNG Fueling Station Expansion and authorizing the City Manager to negotiate a contract to award to GreenField Compression, Inc., as the sole supplier (not to exceed \$182,000) (PW)
- Res. E-4 Adopt resolution authorizing the City Manager to negotiate and purchase three 30-foot compressed natural gas transit vehicles off of the state contract (\$600,000) and appropriate funds (PW)
- Res. E-5 Adopt resolution awarding contract for playground improvements at Van Buskirk Park, 600 N. Pleasant Avenue, and Hale Park, 209 E. Locust Street, to Diede Construction, Inc., of Woodbridge, CA (\$128,065.64) (PR)
- E-6 Accept improvements under contract for Lane Line Painting, Various City Streets, 2005 (PW)
- E-7 Accept improvements under contract for Stockton Street Parkway Landscape Project from Tokay Street to Alley North of Locust Street (PW)
- E-8 Accept improvements under contract for Well 27 Well Drilling, 302 East Highway 12 (PW)
- Res. E-9 Adopt resolution accepting improvements in Mills Avenue Single Family Homes, Unit 2, Tract No. 3499 (PW)
- Res. E-10 Adopt resolution approving extension of lease of Maple Square, 2 East Lodi Avenue (PW)
- Res. E-11 Adopt resolution authorizing the City Manager to negotiate janitorial services contract(s) as needed for the remainder of the current fiscal year (not to exceed \$37,000) (PW)
- Res. E-12 Adopt resolution authorizing the City Manager to execute an agreement with the Lodi Conference and Visitors Bureau to promote the development of regional business, recreation, tourist, conference, and visitor activities (CM)
- E-13 Approve fee contract with Scott & Nichols for representation of officer Neis and former officer Foster in Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229 (CA)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

- J-1 Claims filed against the City of Lodi – None
- J-2 Appointments
 - a) Post for vacancies on the Greater Lodi Area Youth Commission and the Lodi Planning Commission (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar – None

L. Ordinances – None

M. Reorganization of the City Council

- M-1 Presentation to outgoing Mayor by City Manager King
- M-2 Reorganization of the Lodi City Council
- Res. a) Election of Mayor
- Res. b) Election of Mayor Pro Tempore

N. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk